



**United States Patent Application PROTEST UNDER 37 CFR 1.292(a)**

Inventor	Huang, Chin-Lien
Patent Application in Question	2003/0100413A1
Date Filed	January 3, 2002
Title	Drawing Assembly of Exercise Machine
Date Published	May 29, 2003
Serial Number	033933
Series Code	10
Group Art Unit Number	3764
Examiner	Hwang, Victor Kenny
Current Status and Location of Application	Docketed New Case – Ready for Examination TC 3700 CENTRAL FILES CP2-3C24

**Declarative Statement**

We are protesting the issuance of the above cited Patent Application by citing previous artwork discovered that discounts the uniqueness of the two controlling members with two arm configuration claimed in this Application.

**Patent Application Current Claim**

"Two controlling members fastened at two lateral sides of said base frame of said multi-function exercise machine; each of said controlling members having a plurality of openings in substantially equal intervals; two arms pivoted to said controlling members respectively for free rotation; each of said arms having a positioning member which is capable of inserting one of the openings of said controlling member such that said arms can be fixed on said controlling members with determined posture."

"Patent further claims that this is a drawing assembly of an exercise machine, which has a simpler structure and can be adjusted by user to train different portions of muscles."

**Summary Statement**

It is our position, supported by the documentation included in this petition, that art work existed prior to the date of the filing of Patent Application 2003/01004123A1 and therefore the subsequent claims of this application are invalid. There in, this application should not be considered for patent approval.

PROTEST UNDER 37 CFR 1.291 (a)  
Protesting Application Number 10/033,933

RECEIVED  
NOV 06 2003  
TECHNOLOGY CENTER R370

## Evidence of Previous Art Sited

Patent Number	Date of Patent	Appl. No	Filed	Inventor
4603855	August 5, 1986	222164	January 2, 1981	Leslie W. Sebellé

1. "An Exercise apparatus comprising a frame having a pair of spaced upright stanchions, a carriage supported by each of said stanchions for substantially vertical positioning, a telescoping arm carried on each of said carriages for movement therewith and having an end pivotably secured thereto, a cable running along each of said arms, pulley means on said arms supporting said cables for longitudinal movement relative to said arms, a manually engageable handle on the end of said cables for resisting pulling of said cables toward said distal end of said arms."

9. "An exercise apparatus as claimed in claim 1 and wherein locking means is provided for securing and arms in a plurality of desired angular positions relative to said carriages, said locking means comprising, a first member secured to each of said arms at said end pivotally secured to said carriage, a second member secured to each of said carriages, said first and second members being formed with a plurality of openings sequentially registerable upon pivotal movement of said arms, and a pin removable engagable in aligned openings in said first and second members."

15. "An exercise apparatus as claimed in claim 1 and wherein said pulley means includes a pair of egress pulleys at the distal end of each of said arms mounted on a supporting pulley block, and a tubular member mounted on said distal end of each of said arms rotatably supporting said pulley block and having said cable passing there through whereby said egress pulley block automatically rotates to operative positions upon pulling of said cable from said arm."

16. "An exercise apparatus, comprising manually engageable handle means, cable means connected to said handle means, arm means supporting said cable means whereby pulling on said handle means draws said cable means from said arm means, resistance means operatively connected to said cable means and formed for resisting pulling of said cable means from said arm means, support means carrying said arm means for relative movement and for adjusting the positions of said cable means and said handle means relative to said support means, locking means on said arm means and said support means formed for releasably securing said arm means in the desired position, said arm means having an end pivoted on each other for swinging lateral displacement of the distal end of said arm means to desired positions, and locking means being formed for releasably securing said arm means against further lateral displacement."

Patent Number	Date of Patent	Appl. No	Filed	Inventor
6443,877 B1	Sept 3, 2002	09/501,886	Feb. 10, 2000	Dietrich Hoecht

Abstract: "At each end of the frame is attached a horizontally pivotable assembly, called a "module". Each module contains weights which are, in turn connected to a cable and to pulleys controlling the cable path. Vertically pivotable arms are mounted on the front of these modules. The cables are guided to the end of the arms and past the exit pulleys, whereupon exercise tools can be connected.... Horizontally and vertically selectable exercise tool positioning, and the freely rotating exit pulleys, offers unrestricted range of motion in a nearly hemispherical space."

Patent Number	Date of Patent	Appl. No	Filed	Inventor
6238323B1	May 29, 2001	09/395,194	Sept. 14, 1999	Roy Simonson

Description Section, Paragraph 11 (page 10, column 3, line 61): The first and second extension arms 112, 114 are pivotally coupled to a central portion of the weight stack 124 and extend outwardly from the central support member 118. The first and second extension arms 112, 114 respectively rotate about a first axis and a second axis, which are positioned to orient the first and second extension arms 112, 114 in an opposed relationship.

Patent Number	Date of Patent	Appl. No	Filed	Inventor
6,488,612 B2	Dec 3, 2002	09/800,211	Mar 5, 2001	Scott Sechrest, Ramond Glannelli, Stephen C Wendt, Scott Lee

Abstract: "A multiple exercise performance or positioning apparatus comprising a generally upright stationary frame on which is mounted an elongated arm mechanism which is mounted on a pivot mechanism, the arm mechanism extending from a proximal end to a distal end relative to the frame, the pivot mechanism enabling pivoting of the arm mechanism such that the distal end of the arm mechanism is adjustably movable between positions of variable distance away from the frame, wherein a cable mechanism is mounted around one or more pulleys, the cable mechanism having a first end interconnected to a handle mechanism which is mounted at the distal end of the elongated arm mechanism, the cable mechanism being interconnected to a weight resistance mechanism such that a user may grasp and pull the handle mechanism against an opposing force exerted by the weight resistance mechanism through the cable mechanism."

Summary: The present invention relates to exercise apparatus generally and more particularly to an exercise apparatus which enables multiple exercise routines in various positions to exercise various muscles or muscle groups at a single station.

Patent Number	Date of Patent	Appl. No	Filed	Inventor
6592,498 B1	Jul 15, 2003	09/383,728	Aug 26, 1999	Patrick John Trainor

Abstract: "One example of a devise comprises a handle 1021 which can be grasped by an exerciser and which is mounted on an articulated arm portion 1002 which in turn is mounted to a frame 1005. A weight 1031, lever arm 1032 and hydraulic transmission means provide resistance to movement. A first arm member 1022 is pivotally mounted to allow pivotal movement about an axis. Pivotal movement about this axis in two directions away from a null position is resisted by the weight 1031. The weight 1031 also tends to urge the arm member 1022 back towards the null position. The null position can be adjusted using the hydraulic arrangement."

Patent App #	Date of Patent	Appl. No	Filed	Inventor
2003/0032531 A1	Feb 13, 2003	10/261,546	Sept. 30, 2002	Roy Simonson

"The invention also relates to a functional lift exercise apparatus including a central weight stack and substantially parallel extension arms."

0054. The first extension arm 112 is pivotally coupled in a manner allowing a user to select a desired orientation for the extension arm 112 and lock the extension arm 112 in place. Specifically, the first extension arm 112 includes a locking hole 170 located adjacent a pivot hole 172 through which a pivot pin 174 passes to pivotally couple the first extension arm 112 to the semicircular flange assembly 178, and ultimately, the weight stack 124. The locking hole 170 is aligned with a series of flange holes 1756 formed in the semicircular flange assembly 178 of the weight stack 124.

Patent Number	Date of Patent	Appl. No	Filed	Inventor
4721303	Jan 26, 1988	824,813	Jan 31, 1986	Patrick C. Fitzpatrick

Abstract: "A convertible physical exercising device adapted for performing a range of different exercises has a user-engageable moveable member connected to a resistance through an elongated flexible element. The flexible element is trained through a final guide which is carried by a pivoted support whose angular position relative to the body of the device can be varied and fixed so as to vary the rest position of the movable member."

Disclosure: (30) The pivotal mounting of the arm on the body preferably comprises resilient means whereby the arm can be displaced substantially parallel to the pivot axis of the arm on the body to facilitate the repositioning of the arm relative to the body. Means may be provided on the body for reasonably embracing the arm and for locking the arm to the embracing means.

Patent Number	Date of Patent	Appl. No	Filed	Inventor
5,211,614	May 18, 1993	824,825	Jan 23, 1992	Richard W. Henes

Abstract: "This invention is directed to an exercising apparatus on which multiple exercising routines may be performed from a single station area operating in opposition to a single set of weights and wherein three cable systems are operable independent from each other with pulley systems being positioned at high level, low level and mid level of the frame of the apparatus."

Patent Number	Date of Patent	Appl. No	Filed	Inventor
5,190,509	Mar 2, 1993	758,791	Sept 12, 1991	Fredrick O Davison Jr.

Abstract: "An exerciser for the upper body including a frame supporting a seat whose position can be adjusted in vertical direction, a weight assembly slidably mounted on a vertical track, an overhead cam assembly coupled by a cable to the weight assembly and which is turned by a seated user forcibly contacting a lever arrangement adjustably secured to the cam assembly. By adjustably orienting the lever on the cam, different starting positions for the exercises are provided enabling the user to perform forward forearm presses or rearward forearm presses."

Patent App #	Pub Date	Appl. No	Filed	Inventor
2003/0045406A1	March 6, 2003	09/941,167	Aug 28, 2001	Ryan L. Stone

Abstract: "Systems and methods for providing a reorientable pulley system. A tube, a first pulley and a second pulley are provided so that the second pulley may be selectively reoriented in relation to the first pulley while still maintaining an alignment between the hollow passageway of the tube and the channels of the first and second pulleys."

0019. In one embodiment, such as in an exercise machine, the second pulley is coupled to an articulating arm that is coupled to the pivoting tube. The coupling of the pulley to the arm maintains the alignment between the channel of the said pulley and the hollow passageway of the tube when the tube rotates.

NOV 0 3 2003  
 OIPE JC146  
 PATENT & TRADEMARKS



ER 426578684 US

Customer Copy  
 Label 11-B September 2002



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)		
PO ZIP Code 53551	Day of Delivery Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>
Date in Mo. Day Year 10 29 03	Postage \$ 21.05	
Time in Mo. Day Year 10 29 03	Return Receipt Fee	
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	
Weight lbs. ozs. 2 1	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials [Signature]	Total Postage & Fees \$ 21.05

DELIVERY (POSTAL USE ONLY)		
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

CUSTOMER USE ONLY	
PAYMENT BY ACCOUNT Express Mail Corporate Acct. No.	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if signature is requested.
Federal Agency Acct. No. or Postal Service Acct. No.	When delivery is to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.
<input type="checkbox"/> NO DELIVERY Weekend <input type="checkbox"/> Holiday	(Customer Signature)

FROM: (PLEASE PRINT) Vision Fitness  
 P.O. Box 280  
 500 S. CP AVE  
 LAKE MILLS, WI 53551  
 PHONE (920) 648-4090

TO: (PLEASE PRINT) BROWDY AND NEIMARK, P.L.L.C.  
 624 NINTH ST. NW  
 SUITE 300  
 WASHINGTON, D.C. 20001-5303  
 ZIP + 4 20001-5303

FOR PICKUP OR TRACKING CALL 1-800-222-1811  
 www.usps.com  
 PRESS HARD. You are making 3 copies.

Copy of receipt for packet mailed to  
 Applicant's Attorney

RECEIVED  
 NOV 06 2003  
 TECHNOLOGY CENTER R8700